IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 5979 of 1997

Between:
K.S.S.Shyam S/o.Kondala Rao
Assistant Executive Officer,
Dist.SC Society Visakhapatnam.

..... PETITIONER

AND

1. A.P.Scheduled Caste Coop .Finance Corp Ltd Rep by its Managing Director, Hyderabad.
2 Govt of A.P. rep by its Secretary
Social Welfare Dept., Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court mayl be pleased to issue a writ of Mandamus or any other appropriate writ, order or direction declaring the inaction of the respondents in including applicant's name in the seniority list Dated: 16-1-1996 of category No.1 immediately below 1984 batch in terms of Circular No.E1/3331/APSC/89, dated: 12-09-1990 as , arbitrary, illegal, discriminatory and consequently direct inclusion at appropriate place immediately below the 84 batch and consequently direct all benefits including promotions to the post of Executive Officer/Accounts Officer w.e.f the date on which his immediate Junior in the seniority list Dated: 16-01-96 with all consequential and attendants benefits.

Counsel for the Petitioner: MR.P.B.VIJAY KUMAR

Counsel for the Respondent No.1: Mr.P.SHESHA RAO

Counsel for the Respondent No.2: GP FOR COOPERATION

The Court made the following :

ORDER:

This Court, while entertaining this Writ petition, passed an order in W.P.M.P.No.28841 of 2001 dated 19.11.2001 directing the respondents to consider the case of the petitioner for promotion, if he is eligible and qualified and no adverse remarks are pending against him. Subsequently another W.P.M.P.No.20136 of 2003 was filed seeking almost similar directions as were already granted on 19.11.2001. Therefore, the said W.P.M.P was dismissed.

2. When the matter came-up for hearing today, it is contended by the learned counsel for the petitioner that ignoring the claim of the petitioner, some of his juniors were already promoted, and therefore, the petitioner is entitled for the relief sought for.

3. The issue, whether the petitioner is entitled for promotion or not, is a matter to be considered by the Management of the Corporation and not by this Court, as there is already an interim order to consider the case of the petitioner. If the case of the petitioner is not considered as per the said directions and if any juniors are promoted by any proceedings, it is always open to the petitioner to assail those orders, attacking the merits of the proceedings, passed by the 1st respondent corporation.

4. The writ petition is accordingly disposed of, as per the interim orders already passed by this Court. No costs.

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S.ANANDA REDDY,J

20th September, 2004.
Sh/kvh

To

1. The Managing Director, A.P.Scheduled Caste Coop .Finance Corp Ltd., Hyderabad.
2 The Secretary, Govt of A.P.,
Social Welfare Dept., Hyderabad.
3. 2CCs to the G.P. for Cooperation, High Court Buildings, High Court of
Andhra Pradesh, Hyderabad. (OUT).
4. 2CD copies

THE HON'BLE MR JUSTICE S.ANANDA REDDY

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Dated: 20.09.2004